

PATENT  
Attorney's Docket No. 3827.04

This Response is being submitted within one month of the mailing date of the Examiner's Action dated September 27, 2005.

In the previous response to the Restriction Requirement a selection of species was inadvertently omitted.

In the Examiner's Action it was held that there were five species of the present invention, as shown in the Examiner's following groupings of figures:

Species i: Figures 2-4 and 10;

Species ii: Figure 5;

Species iii: Figures 6-7;

Species iv: Figure 8; and

Species v: Figure 9.

The first species shown in Figures 2-4 and 10 is elected for purposes of the initial examination with the first species claimed in claims 1 through 11.

It is respectfully requested that should claims 1 and 3 be found to be allowable that claims 12-21 also be found to be allowable as they each depend from the combination of claims 1 and 3 directly or indirectly through dependence on others of claims 12-19.

Additionally, should claim 22 also be found to be generic of all embodiments of the present invention it is further respectfully requested that all of claims 1-24 be allowed.

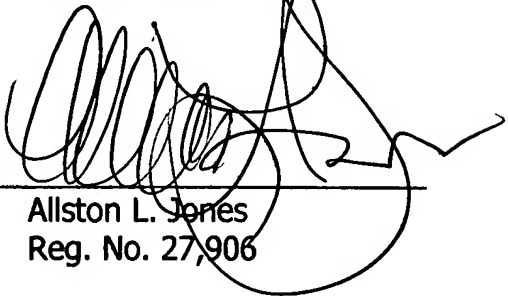
Additionally, Applicant reserves the right to represent any of the 24 claims submitted with the instant application not recombined with others of the claims allowed by the Examiner.

It is respectfully requested that the Examiner reconsider the restriction and species requirements and to proceed with the examination of all of the claims.

Favorable action is respectfully requested.

Respectfully submitted,  
CHUNG-HSIANG LIN

by



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October 6, 2005

10-07-05

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Attorney's Docket No. 3827.04

ART UNIT: 2875

EXAMINER: Thomas M. Sember

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
CHUNG-HSIANG LIN

Serial No.: 10/688,625

Filed: October 17, 2003

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For: OMNIDIRECTIONAL ONE-DIMENSIONAL PHOTONIC CRYSTAL AND LIGHT  
EMITTING DEVICE MADE FROM THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this paper, and the listed enclosures, and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with the Express Mail Label No. EV484314744US on October 6, 2005.

  
Allston L. Jones, Attorney for Applicant

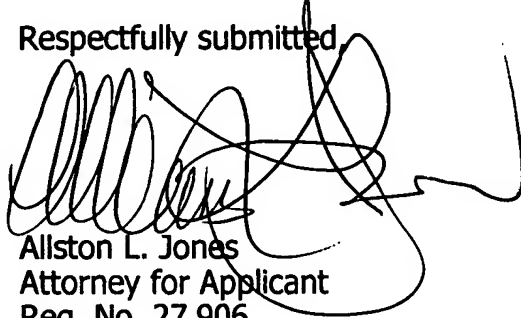
**TRANSMITTAL LETTER**

Transmitted herewith are the following documents:

1. Transmittal Letter, in duplicate;
2. Supplemental Response to Restriction; and
3. Postcard.

If any fees are required with the filing of these documents, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1331.

Respectfully submitted,



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Date: October 6, 2005

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